

Revision of the fees of the Panel  
Advocates of the Supreme Court....

**Government of Maharashtra  
Law and Judiciary Department  
Government Resolution No.: Meeting-2011/(249)/D-14**

Mantralaya, Mumbai 400032

Date: 15th February, 2014

**Read -**

1. Government Resolution No.GPH-1103/221-II/XIV, dated 9.5.2005 and
2. Government Resolution No. Meeting 2011/(249)/D-14 dated 11.10.2013.

**Resolution**

The question of revising the rates of fees payable to the Panel Advocates in Group A, B, C & D for conducting cases, on behalf of Govt. of Maharashtra in the Supreme Court as prescribed by Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984, (as amended by Government from time to time) was under consideration of Government. Now, in supersession of the aforesaid Government Resolutions dated 9th May 2005 and 11th October 2013, the Government is pleased to revise the rates of fees of the Panel Advocates in Group 'A'(I, II & III) , 'B', 'C' & 'D' with effect from 1st November 2013 as shown below:

Sr. No.	Designation of Advocates and Groups of Panel Advocates		Revised fees prescribed for appearance per day	
			Regular matters (Rs.)	Miscellaneous matters (Rs.)
1.	Group 'A' Advocate	-I	75,000/-	25,000/-
		-II	35,000/-	10,000/-
		-III	10,000/-	7,500/-
2.	Group 'B' Advocate		7,500/-	5,000/-
3.	Group 'C' Advocate		3,000/-	2,000/-
4.	Group 'D' Advocate		2,000/-	1,500/-

1. These fees shall be for effective hearing on per day basis irrespective of the number of cases conducted by the Advocate on a particular day. In case, the Advocate appears in the Supreme Court on the date fixed for hearing of a case but the case is adjourned for whatever reasons and there being no effective hearing on that day, then the Advocate shall be entitled to claim 50 percent of the fees prescribed above per day. If

advocate obtains adjournment for the sake of his convenience, he shall not be entitled to any fees for that day.

2. The Expenditure involved in Account of revision of fees shall be debited to the budget head "Demand No.J-1, 2014-Administration of Justice (voted) (00)114-Legal Advisers and Counsels (00)(01) - Legal Advisers and Counsel, City Officers (2014 0 29 9), (28) Professional and Special Services" and shall be met from the sanctioned grants.

3. This Resolution is being issued in supersession of the earlier Government Resolution, Law and Judiciary Department, No.DGP-2806/MS-129/(42)/XIV, dated 16th January, 2008.

4. This resolution is issued with the concurrence of the Finance Department, vide its unofficial reference No.679 /13, dated 04.01.2014.

5. The revised rates of fees shall be applicable with effect from 1st November, 2013.By order and in the name of the Governor of Maharashtra,

This Government resolution of Maharashtra Government is available at the website[www.maharashtra.gov.in](http://www.maharashtra.gov.in). Reference no. for this is 201402171651580912. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

**( A. M. Badar)**

Principal Secretary & Remembrancer of Legal Affairs

Copy forwarded to:

1. The Advocate General, Maharashtra State, Mumbai (by letter)
2. The Associate Advocate General, Maharashtra State, Mumbai (by letter),
3. The Registrar General, High Court, Mumbai (by letter 3 copies),
4. Additional Chief Secretary/Principal Secretaries/Secretaries of all administrative departments, Mantralaya, Mumbai
5. The Prothonotary and Senior Master, High Court (OS), Mumbai (by letter,
6. The Registrar, High Court of Mumbai Bench at Nagpur (3 copies)

7. The Registrar, High Court of Mumbai Bench at Aurangabad (3 copies)
8. The Registrar, Maharashtra Administrative Tribunal, Mumbai/Aurangabad/ Nagpur
9. The Finance Department (Desk-EXP-VI)
10. The Joint Director, Accounts and Treasuries computer Section, 5th floor, New Administrative Building in from of Mantralaya, Mumbai
11. The Accountant General, Maharashtra-I (Accounts & Entitlement), Mumbai (3 copies)
12. The Accountant General, Maharashtra-I (Audit), Mumbai (3 copies)
13. The Accountant General, Maharashtra-II (Accounts & Entitlement), Nagpur (3 copies)
14. The Accountant General, Maharashtra-II(Audit), Nagpur (3 copies)
15. The pay and Accounts Officer, Mumbai
16. The Resident Audit Officer, Mumbai (in duplicate)
17. The Resident Audit Officer, Mumbai (in duplicate)
18. The Government Advocate, Law and Judiciary Department, Maharashtra Sadan, Copernicus Marg. New Delhi
19. The Government Pleader, Small Causes Court, Mumbai (3 copies)
20. The Government Pleader and Public Prosecutor, High Court (A.S.) (Writ Cell), Mumbai (3 copies)
21. The Government Pleader and Public Prosecutor, High Court Mumbai, Bench at Aurangabad/ Nagpur (3 copies each)
22. The Government Pleader , High Court (Original Side), Mumbai (3 copies)
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24. The Public Prosecutor for Sessions Court, Greater Mumbai, Mumbai (3copies)
25. The Government Pleader, City Civil Court, Mumbai (3 copies)
26. The Government Pleader, Small Causes Court, Mumbai (3 copies)
27. All the District Government Pleaders and Public Prosecutors at District Headquarters
28. The Chief Presenting Officer, Maharashtra Administrative Tribunal, Mumbai, Aurangabad & Nagpur (3 copies each)
29. The Joint Secretary to Government , Law and Judiciary Department, Old Secretariat Building, Civil Lines, Nagpur 440001.
30. The Joint Secretary to Government, Law and Judiciary Department, District Court Compound, Adalat Road, Aurangabad 431 001.
31. All the Divisional Commissioners
32. All the Collector and District Magistrates
33. All the District and Session Judges
34. All the Treasury Officers
35. The Superintendent, Law and Judiciary Department, Maharashtra Sadan, Copernicus Marg. New Delhi

36. Desk XVIII, A, E, M, Branch of the Law and Judiciary Department ( 3 copies each to all)
37. PS to Hon. Chief Minister, Maharashtra State
38. PS to Hon. Deputy Chief Minister, Maharashtra State
39. PS to Hon. State Minister, Law and Judiciary, Maharashtra State
40. Select file.

Revision of Fees and Allowances payable  
to the Law Officers and Panel Counsel in  
the State of Maharashtra

**Government of Maharashtra**  
**Law and Judiciary Department**  
**Government Resolution No.: Meeting-2011 /(249)/D-14**

Mantralaya, Mumbai 400032

Date: 15th February, 2014

**Resolution**

The question of revision of the fees payable to Law Officers in the State of Maharashtra as prescribed by the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984 (as amended by Government from time to time) was under consideration of Government. A Government Resolution No. Meeting 2011/(249)/D-14 was issued on 11th October 2013. However, pursuant to the order dated 19th October 2013 of the Hon'ble Bombay High Court, Bench at Nagpur, in Writ Petition No. 68 of 2013 and after hearing the representations of the Government Pleaders and the representatives of the District Government Pleaders, in supersession of the said Government Resolution dated the 11th October 2013, the Government is pleased to revise the rates of fees payable to various Law Officers as shown in the Statements A, B, C, D, E, F, G, H, I and J appended herewith.

2. The revised rates of fees shall be applicable with effect from 1st November, 2013.
3. The Expenditure involved on Account of revision of fees shall be debited to the budget head "Demand No.J-1, 2014-Administration of Justice (voted), (00)114- Legal Advisers and Counsels, (00)(01) Legal Advisers and Counsels, City Officers (2014 029 9),(00)(02) Mofussil Officer (2014 030 5), (28) Professional and Special Services" and shall be met from the sanctioned grants.
4. This Resolution is being issued in supersession of the earlier Government Resolution, Law and Judiciary Department No.DGP 2806/M.S.129(42)-XIV, dated 16th

January, 2008 and subsequent Corrigendum issued and Government Resolution No. Meeting 2011/(249)/D-14 dated the 11th October 2013.

5. Apart from the Notes prescribed below the Statements A to J appended to this Government Resolution, the terms and conditions prescribed in Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984 and the Rules for the Conduct of Legal Affairs of Government, 1984, shall be applicable.

6. In addition to the documents prescribed in Maharashtra Law Officer Rules, 1984 (Rule No. 133 to 143), for Supreme Court, High Court and MAT Law Officers, while claiming fees, self-attested computerized copies of the said order be submitted for verification and necessary approval and for the District Courts Law Officers copies of order/Roznama be submitted with fee's bill. Soft copies of the orders may be furnished in the lieu of the paper copy of the Order in such manner as may be prescribed by the Law and Judiciary Department. If the Law and Judiciary Department requires in any particular case, in support of showing presence on the particular date of effective / non effective hearing a hard copy of the order / Roznama obtained from website of Supreme Court / High Court / MAT shall be submitted for verification of the Bill and necessary approval.

7. All bills of Additional and Assistant Government Pleaders/ Public Prosecutors practicing before the Hon'ble Bombay High Court shall be certified and approved by the concerned Government Pleader / Public Prosecutor.

8. The Government Pleader / Public Prosecutor, Additional Government Pleader / Additional Public Prosecutor, Assistant Government Pleader / Additional Public Prosecutor shall not be entitled to refuse a brief in any matter, if allotted to him / her except on grounds of the illness necessitating absence from Court and conflict of interest.

9. The ceiling on fees provided with schedules shall apply in respect of each individual advocate regardless of whether such advocate does both criminal and civil work. No advocate shall be entitled to separate ceilings in respect of both civil and criminal work.

10. If any doubt or difficulty arises as to any of the items in any bill submitted or as to the provisions of this Government Resolution, the decision of the Law and Judiciary Department in respect thereof shall be final and binding on all Law Officers.

11. This resolution is issued with the concurrence of the Finance Department; vide its unofficial reference No.679/13, dated 04.01.2014. By order and in the name of the Governor of Maharashtra,

This Government resolution of Maharashtra Government is available at the website [www.maharashtra.gov.in](http://www.maharashtra.gov.in). Reference no. for this is 201402171651580912. This order has been signed digitally.

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Principal Secretary & Remembrance of Legal AffairsTo,

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27. The Chief Presenting Officer, Maharashtra Administrative Tribunal, Mumbai, Aurangabad & Nagpur (3 copies each)
28. The Joint Secretary to Government, Law and Judiciary Department, Old Secretariat Building, Civil Lines, Nagpur 440001.
29. The Joint Secretary to Government, Law and Judiciary Department, District Court Compound, Adalat Road, Aurangabad 431 001.
30. All the Divisional Commissioners
31. All the Collector and District Magistrates
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35. Desk XVIII, A, E, M, Branch of the Law and Judiciary Department ( 3 copies each to all)
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37. PS to Hon. Deputy Chief Minister, Maharashtra State
38. PS to Hon. State Minister, Law and Judiciary, Maharashtra State
39. Select file



## STATEMENT 'A'

### REVISED FEES FOR ADVOCATE GENERAL & ASSOCIATE ADVOCATE GENERAL

		Revised Fees (Rs.)	
Nature of Case		Advocate General	Asso. Advocate General
1.	<b>Civil cases, High Court (Original Side)-</b>		
	<b>(a) Long Cause Suite:-</b>		
	(i) Brief to settle draft plaint	3000/-	1500/-
	(ii) Brief to settle written statement	2000/-	1000/-
	(iii) Brief for hearing and final disposal per day	10000/-	7500/-
	<b>(b) Writ Petitions :-</b>		
	(i) Brief to settle draft petition	3000/-	2000/-
	(ii) Brief to settle draft affidavit	2500/-	1500/-
	(iii) Brief for hearing and final disposal per day	15000/-	7500/-
	(iv) Hearing of Notice of Admission per day	7500/-	5000/-
	<b>I Appeals in the High Court :-</b>		
	(i) Brief to settle draft memorandum of appeal	2500/-	1500/-
	(ii) Brief for hearing and final disposal per day	15000/-	7500/-
	(iii) Brief to settle draft petition for leave to appeal to the Supreme Court	2500/-	1500/-
	(iv) Brief for hearing of petition for leave to appeal to the Supreme Court	10000/-	7500/-
	<b>(d) Sales Tax, Land Acquisition and Stamp References :-</b>		
	Brief for hearing and final disposal per day	10000/-	7500/-
2.	<b>Civil Writ Petition, High Court (Appellate Side) :-</b>		
	a) Brief for final hearing of petition per day	10000/-	7500/-
	b) Brief to oppose petition on admission	15000/-	10000/-
	c) Brief to settle petition, affidavit in reply rejoinder or any other pleading	2500/-	2000/-
	d) Brief of hearing of petition for leave to appeal to the Supreme Court	10000/-	7500/-
3.	<b>Criminal cases or appeals in the High Court :-</b>		
	a) At the admission stage per day	7500/-	5000/-
	b) For final hearing per day	15000/-	10000/-
4.	<b>For Conference :-</b>		
	a) For first half an hour	2500/-	1500/-
	b) And thereafter for every half an hour	1250/-	750/-
	<b>Retainer</b>	30,000/-	20,000/-

*Note 1:- The rates of the fees under clauses (1), (2) and (3) for the Conduct of Civil and Criminal Cases on the Original and Appellate Side of the High Court of judicature at Bombay and its Benches at Nagpur and Aurangabad, shall be payable to the Advocate General and Associate Advocate General subject to the condition that, if two or more cases are conducted during a day, not more than Rs.30,000/- and Rs.20,000/- per day respectively irrespective of the number of cases conducted by them during that day.*

*Note 2:- In case of group matters where the matters are decided by common judgment the only one set of fees shall be payable.*

## **STATEMENT 'B'**

### **REVISED FEES PAYABLE TO CHIEF PRESENTING OFFICER AND PRESENTING OFFICERS OF THE MAHARASHTRA STATE ADMINISTRATIVE TRIBUNAL AT MUMBAI, NAGPUR AND AURANGABAD**

		<b>Revised Fees (Rs.)</b>	
<b>Sr.No.</b>	<b>Nature of Work</b>	<b>CPO</b>	<b>PO</b>
1.	Settlement of Drafts/Petitions Affidavit/Counter Affidavit/Applications etc	1,500/-	1,000/-
2.	Hearing of notice of admission per case (for effective hearing).	1,500/-	1000/-
3.	Brief for Hearing and final disposal per day	3,000/-	2,000/-
4.	Brief to oppose admission of petition for leave or application for interim stay or injunction (per case).	1,500/-	1000/-
5.	Adjournment without previous intimation.	250/-	200/-
6.	Drafting of Caveat. (per case).	500/-	400/-
7.	All other applications / petitions not specifically covered under clauses (1) to (6) above.	400/-	300/-

*Note 1.:- The rates of the fees under clauses (1)to (7) above for the Conduct of Cases before Maharashtra Administrative Tribunal at Mumbai and its Benches at Nagpur and Aurangabad, shall be payable to the Chief Presenting Officer and Presenting Officers, subject to the condition that if two or more cases are conducted during a day not more than Rs. 4000/- for Chief Presenting Officer and Rs. 3000/- for Presenting Officer; irrespective of the number of cases conducted by them during that day.*

*Note 2.:- In the case of group matters or similar matters, where the matters are decided by the one common Judgment, the Chief Presenting Officer and the Presenting Officer shall be entitled to only one set of fees.*

*Note 3.:- In all group matters or similar matters, the Chief Presenting Officer at Bombay, Nagpur and Aurangabad shall engage only one and the same CPO/PO.*

*Note 4 :- Hearing means, if matter is disposed, dismissed, rejected, allowed to be withdrawn after hearing, allowed/granted, part heard, notice before admission, issue notice, rule, interim order/relief.*

*Note 5 :- There will be a quarterly ceiling of Rs. 2,70,000/- for Chief Presenting Officer and Rs.2,10,000 for Presenting Officer. The ceiling will not cover the fees payable for retainer fee.*

## STATEMENT ‘C’

**FEEES FOR GOVERNMENT PLEADER / ‘A’ PANEL COUNSEL /ADDITIONAL GOVERNMENT PLEADER / ASSISTANT GOVERNMENT PLEADER / ‘B’ PANEL COUNSEL BOMBAY HIGH COURT, (ORIGINAL SIDE, APPELLATE SIDE, WRIT CELL) ,AND AT NAGPUR AND AURANGABAD.**

Sr No.	Fees		
<b>1</b>	<b>Appearance in Court</b>		
	<i>a. Full Day Hearing ( over both morning and afternoon sitting of Court)</i>	<i>: GP Addl. GP Asst. GP</i>	<i>– Rs. 4000/- - Rs. 3000/- - Rs. 2000</i>
	<i>b. Hearing (during only one sitting of Court)</i>	<i>: GP Addl. GP Asst. GP</i>	<i>– Rs. 2000/- - Rs. 1500/- - Rs. 1000/-</i>
	<i>c. Adjournment after short arguments</i>	<i>: GP Addl. GP Asst. GP</i>	<i>– Rs. 1500/- - Rs. 1000/- - Rs. 750/-</i>
	<i>d. Adjournment or brief to hear judgment to submit to orders / directions.</i>	<i>: GP Addl. GP Asst. GP</i>	<i>– Rs. 1000/- – Rs. 750/- - Rs. 500/-</i>
	<i>{Note : - The concerned Government Pleader / Public Prosecutor shall certify that the fees has been claimed in the correct category in respect of each matter. The above scale of fees shall also apply at the appellate stage }.</i>		
<b>2</b>	<b>Drafting Fees</b>	<b>Government Pleader/Additional Government Pleader /‘A’Panel counsel Revised Fees (Rs.)</b>	<b>Assistant Government. Pleader/ /‘B’Panel counsel Revised fees (Rs.)</b>
<b>A.</b>	<b>A. Long Cause Suits</b>		
	(1) Brief to draw plaint	4,000/-	2,000/-
	(2) Brief to draw written statement	3000/-	1,500/-
<b>B.</b>	<b>Writ Petition</b>		
	(1) Brief to draw petition	4000/-	2000/-
	(2) Brief to draft affidavit	3000/-	1500/-
<b>C.</b>	<b>Appeals / Revisions in the High Court</b>		
	(1) Brief to settle Revision Petition Memorandum of appeal.	2000/-	1000/-
	(2) Affidavits	2000/-	1000/-

<b>D.</b>	<b>Supreme Court :</b>		
	(1) Brief to draft / settle petition for leave to appeal to the Supreme Court (per case)	3000/-	1500/-
	(2) Affidavits.	3000/-	1500/-
	(3) Brief to draft statement of case for filing appeal in Supreme Court.	4000/-	2000/-
<b>E.</b>	<b><u>Applications under sub-section (i) of sec.61 of the Bombay Sales Tax Act, 1959</u></b>		
	(1) Brief to draft or settle the application	1000/-	800/-
<b>F.</b>	<b><u>Company petitions</u></b>		
	(1) Brief to draw or settle petitions	4000/-	2000/-
	(2) Brief to draw or settle Affidavit	3000/-	1500/-
<b>G.</b>	<b><u>Arbitration proceedings</u></b>		
	Brief to draw or settle written statement or any other pleadings ( per case )	3000/-	1500/-
<b>3.</b>	<b><u>Miscellaneous petitions.</u></b>		
	<b>(a) Claims to be filed before Official Assignee.</b>		
	(i) For adjournment	100/-	100/-
	(ii) To submit to the orders of the court.	200/-	150/-
	(iii) Consent for withdrawal of the petition	100/-	100/-
	(iv) To appear and obtain leave of the court to attach the monies lying with court receiver.	400/-	300/-
	(v) For hearing and final disposal	750/-	600/-
	(vi) To settle draft memorandum of appeal	400/-	300/-
	<b><u>(b) Claims before Official Liquidator</u></b>		
	(i) For drafting affidavit in support of the claims	750/-	600/-
	(ii) For hearing and final disposal (per case)	750/-	600/-
	<b><u>(c) Matters before Taxing master under Bombay Court Fees Act, 1959</u></b>		
	(i) For appearance and hearing before Taxing Master (per case).	500/-	400/-
	<b><u>(d) Testamentary or Intestate Jurisdiction matters</u></b>		
	To settle draft affidavit	3000/-	1500/-
	<i>Note 1:- For (a) – (d) above, the fees in Appeals filed therefrom, the Law Officer will get the same rate of the fees as prescribed in clause (1) above for appearance.</i>		

<b>4.</b>	For Written Opinion on reference in writing by the Law and Judiciary Department	<i>GP</i> – Rs. 3000/- <i>Addl. GP</i> - Rs. 2000/- <i>Asst. GP</i> - Rs. 1000/-
<b>5.</b>	For any other appearance or drafting where fees not specified	As recommended by GP / PP concerned and approved by the Law and Judiciary Department

*Note 1:- Government Pleaders shall engage 'A' Panel Counsel in only exceptional cases and after obtaining prior approval in writing of the Remembrancer of Legal Affairs. In the event of appointment of 'A' Panel Counsel, who is not a Senior Advocate, the A Panel Counsel shall alone conduct the case and no 'B' Panel Counsel shall be engaged to assist the 'A' Panel Counsel.*

*Note 2:- Where the same is Affidavit is filed in each matter in a group, the drafting fee for only one Affidavit shall be permissible. In all group matters for appearing and conducting of cases on behalf of more than one Government Department and / or its officers; only one set of fees will be admissible, unless the Govt. Pleader certifies otherwise with reasons. Only one Addl. Govt. Pleader/ Asst. Govt. Pleader shall be engaged in such cases to represent all the Departments of Government or officers. Other than the fees prescribed above, Law Officers shall not be entitled to charge separate fees to any Government Department or its Officers.*

*Note 3 :- No fees shall be charged or claimed by GP/PP, Addl. GP/PP and Asstt. GP/Addl. PP for Conferences.*

*Note 4 :- Hearing means, if arguments are advanced, matter is disposed, dismissed, rejected, rule made absolute, allowed to be withdrawn after hearing, allowed/granted, partly heard, notice before admission, issue notice, rule, interim order/relief.*

*Note 5 :- The Bill of each Addl.GP/ PP and Asst. GP / Addl. PP shall be certified by the GP/PP concerned.*

*Note 6:- There will be a quarterly ceiling of Rs. 3,75,000/- for Govt. Pleader & PP, Rs.3,00,000/- for Addl.GP & A.PP and Rs. 2,25,000/- for Asst. GP & Addl.PP. The quarterly ceiling will not cover the fees payable for retainer fee.*

## STATEMENT 'D'

**FEES IN CRIMINAL MATTERS FOR GOVERNMENT PLEADER AND PUBLIC PROSECUTOR, ADDITIONAL GOVERNMENT PLEADER AND ADDITIONAL PUBLIC PROSECUTOR AND ASSISTANT GOVERNMENT PLEADER AND ADDITIONAL PUBLIC PROSECUTOR, IN BOMBAY HIGH COURT (MUMBAI, NAGPUR AND AURANGABAD).**

1	Appearance	
(1)	General	
	a.	Full Day Hearing ( over both morning and afternoon sitting of Court) : GP &PP – Rs. 4000/- Addl. GP - Rs. 3000/- Asst. GP - Rs. 2000
	b.	Hearing (during only one sitting of Court) : GP &PP – Rs. 2000/- Addl. GP&APP- Rs. 1500/- Asst. GP&APP- Rs. 1000/-
	c.	Adjournment after short arguments : GP &PP – Rs. 1500/- Addl. GP &APP- Rs. 1000/- Asst. GP - Rs. 750/-
	d.	Adjournment or brief to hear judgment to submit to orders / directions. : GP &PP – Rs. 1000/- Addl. GP &APP– Rs. 750/- Asst. GP&APP - Rs. 500/-
	{Note : - The concerned Government Pleader / Public Prosecutor shall certify that the fees has been claimed in the correct category in respect of each matter}.	
(2)	Final hearing in confirmation case.	Rs. 6000/- per full day for G.P. & P.P, Rs.5500/- per full day for Addl. G.P. & A.P.P., Rs.4500/- per full day for Asstt. G.P. & A.P.P. or as per (b)-(d) above
(3)	<b>Criminal Revisions / Applications / Appeals:–</b> (i) Criminal Revision Applications / Petitions arising out of orders passed under sec. 125 Cr.P.C. or order of maintenance passed under D.V. Act or any other law. The orders passed under D.V. Act, Negotiable Instrument Act, Restoration Application, Applications relating to Union of India and all other proceedings in which the State Government is a formal party. (ii) Criminal Revisions filed by the State Govt. or filed against the State	Rs. 1500/- per case for admission as well as final hearing irrespective of dates of hearings.  <

	Govt. in which the State Govt. is necessary party and likely to be affected by the orders passed in such revision application. <b>(iii)</b> Application filed under sec. 482 of Cr.P.C. in which State Govt. is necessary party and the Petitioner / Applicant claimed quashing of proceedings. <b>(iv)</b> Contempt Petition against Govt. officers (irrespective of number of officers involved).	As per (a) above.  As per (a) above.
(4)	<b>In Bail matters :</b> (i) Application for regular Bail and Anticipatory Bail matters :- (a) Drafting of Affidavit opposing the Bail application.  (b) Final hearing of Application for regular bail or anticipatory bail.  (c) Application for transfer or any other application for which fees is not specifically prescribed.	Rs. 3000/- per case.  Rs. 2000/- per hearing.  Rs. 1000/- per case
(5)	In detention cases under COFEPOSA and other similar Acts and Ordinances – <b>(i)</b> For the Public Prosecutor. <b>(ii)</b> For the Additional Public Prosecutor.	Rs. 4000/- Per day Rs. 3000/- per day
	<b>(iii) (a)</b> For drafting of affidavit in COFEPOSA or other detention matters.	Rs. 2000/- per affidavit
	<b>(b)</b> For drafting of affidavit in externment matters.	Rs. 1500/- per affidavit
(6)	<b>In detention matters to be filed in the Supreme Court;--</b>	Rs. 3000/- per affidavit
	For drafting affidavit	
(7)	For any other appearance or drafting where fees not specified	As recommended by GP / PP concerned and approved by the Law and Judiciary Department

*Note 1.:- Public Prosecutor, High Court at Bombay shall engage 'A' Panel Counsel in only exceptional cases and after obtaining prior approval in writing of the Remembrancer of Legal Affairs. In the event of appointment of 'A' Panel Counsel so appointed, not being a Senior Advocate, the A Panel Counsel shall alone conduct the case and no 'B' Panel Counsel shall be engaged to assist the 'A' Panel Counsel.*

*Note 2.:- Where the same is Affidavit is filed in each matter in a group, the drafting fee for only one Affidavit shall be permissible. In all group matters for appearing and conducting of cases*

*on behalf of more than one Government Department and / or its officers; only one set of fees will be admissible, unless the Public Prosecutor certifies otherwise with the reasons. Only one Addl. Public Prosecutor shall be engaged in such cases to represent all the Departments of Government or officers. Other than the fees prescribed above, Law Officers shall not be entitled to charge separate fees to any Government Department or its Officers.*

*Note 3 :- No fees shall be charged or claimed by PP and Addl. PP for Conferences.*

*Note 4 :- Hearing means, if arguments are advanced, matter is disposed, dismissed, rejected, rule made absolute, allowed to be withdrawn after hearing, allowed/granted, partly heard, notice before admission, issue notice, rule, interim order/relief.*

*Note 5 :- The Bill of each Addl.PP shall be certified by the PP concerned.*

*Note 6:- There will be a quarterly ceiling of Rs. 3,75,000/- for GP & PP, Rs.3,00,000/- for Addl.G.P. & Addl.PP and Rs. 2,25,000/- for Asstt.GP & Addl.PP. The quarterly ceiling will not cover the fees payable for retainer fee.*



## STATEMENT 'E'

### REVISED FEES FOR DISTRICT GOVERNMENT PLEADER AND PUBLIC PROSECUTORS, ASSISTANT GOVERNMENT PLEADER AND ADDITIONAL PUBLIC PROSECUTORS, PUBLIC PROSECUTORS IN MOFUSIL DISTRICTS (OTHER THAN MUMBAI)

Sr. no.	Nature of case	Revised Fees (Rs.)
(I)	<b>In All Civil Cases :</b>	
(a)	<ul style="list-style-type: none"> <li>Suits and Appeals decided on merits, in which suit or appeal is basically for and against Govt. and effective reliefs is claimed in such proceedings.</li> <li>Suits and Appeals under Order 7 Rule 11 and Section 9A of Civil Procedure Code, 1908.</li> </ul>	<p>As per Rule 24 (1) (A) r/w Rule 28 of L.O.R. Fees actually taxed by the concerned court as per the bill of cost, subject to maximum of Rs.35,000/- whichever is less.</p> <p>Rs. 7500/- per case</p> <p><i>Note 1:- The fees as above shall be payable only in a case where the main relief claimed in suit is against Govt.</i></p> <p><i>Note 2 :- In civil suit as well as in appeal wherein the Govt. is formal party and no effective relief is sought against the Govt. the fixed sum of Rs. 500 shall be payable as a fees to law officer irrespective of valuation of the suit and appeal.</i></p>
(b)	Suits and appeals decided on merit in which the Govt. is a formal or proper party and no effective relief is claimed against the Govt.	Rs. 1000/- per case for final disposal
(c)	Suit for injunction for and against Government; wherein Govt. is main party to proceedings and effective relief is claimed against Government.	Rs. 3000/- per case for final disposal (Irrespective of Valuation of suit) 1000/- per case
(d)	The fees for opposing application by indigent persons.	250/-per case
(e)	Filing appearance and submitting to orders of Court.	
(f)	Cases under section 19 of the Indian Forests Act, 1927	750/- per case

(g)	<b>Drafting charges :</b> <ul style="list-style-type: none"> <li>(i) Drafting of Complaint.</li> <li>(ii) Drafting of written statement in a case where Govt. is necessary party and effective relief is claimed against Govt.</li> <li>(iii) Reply to injunction application, appointment of court receiver and other effective interim relief.</li> <li>(iv) Application for vacating stay, appointment of Court Commissioner, Court Receiver and such other important reliefs in favour of Govt.</li> <li>(v) Written statement in cases in which the Govt. is made formal party and no effective relief is claimed against the Govt.</li> <li>(vi) Reply to statutory notice u/s. 80 of CPC.</li> <li>(vii) Drafting of Appeal Memo along with application for stay, injunction etc. .</li> <li>(a) Regular appeal filed against the judgment and decree.</li> <li>(b) Miscellaneous Civil Appeal filed against the appealable order.</li> <li>(viii) Any other important application, reply and Affidavit to be filed in any civil proceeding, which are not specifically covered by clause (i) to (vii) above. But shall not include the applications for adjournment, time to file reply, application to summon the witnesses and all such formal applications and reply etc.</li> </ul>	<ul style="list-style-type: none"> <li>750/- per case</li> <li>1500/- per case</li> <li>1000/- per case</li> <li>500/- per case</li> <li>500/- per case</li> <li>750/- per case</li> <li>2000/- per case</li> <li>2000/- per case</li> <li>1000/- per case</li> <li>300/- per case</li> </ul>
(h)	For appearance in reference to a Civil Court under the Land Acquisition Act 1984;-	As prescribed under Rule 24(1) (A) sub-clause (d) of LOR 1984, which reads as under :- (i) if the amount of compensation is in dispute, his fees shall be calculated on the difference between the amount of compensation awarded by the Collector and the amount of compensation claimed in the reference to the court;

		(ii) in other cases, including cases not decided on merits, the usual fees as are actually taxed as costs by the concerned court according to law;
<b>(II) In all Criminal Cases (In Mofussil Courts) –</b>		
	(i) <b>Criminal trial</b> for offences involving u/s. 302, 376(2) (a) to (g) of IPC, cases u/s. 7(1)(d) & 12 r/w 13 under the provision of Prevention of Corruption Act and cases under NDPS Act relating to psychotropic substances such as <i>heroine, charas</i> etc. excluding cases of personal consumption and cases relating of seizure of <i>ganja</i> .	Rs. 2500/- per day for effective hearing Note. – No fees shall be payable for non-effective dates of hearing.
	(ii) <b>Cases for trial under MCOCA Act</b>	2500/- per day for DGP & PP 2000/- per day for Addl. PP for effective hearing Note. – No fees shall be payable for non-effective dates of hearing.
	(iii) <b>Session triable cases</b> , which are not specifically covered under clause (i) and (ii) as above.	Rs. 2000/- per day for effective hearing Note. – No fees shall be payable for non-effective dates of hearing.
	(iv) <b>Criminal Appeal</b> (a) Criminal appeal arising out of judgment and order passed by assistant session judge.  (b) Criminal appeal arising out of major offences i.e. regular criminal appeal.  (c) Criminal appeal arising out of petty offences.	2500/- per appeal; irrespective of number of accused involved in the case and dates of hearings.  1500/- per appeal; irrespective of number of accused involved in the case and dates of hearings.  750/- per appeal; irrespective of number of accused involved in the case and dates of hearings.  <i><b>Note 1.</b> – If more than one appeal has been filed by accused involved in same case and all appeals are heard together and decided by common judgment then only one set of fees shall be payable to law officers in such appeals.</i>
	(v) <b>For hearing of regular and anticipatory bail applications;-</b> (a) Offences involving Session triable cases.	750/- per bail application irrespective of dates of hearings and number of accused involved.

	(b) Offences other than triable by Sessions Court.  (c) Transfer, stay or any other applications which is not specifically provided.	500/- per bail application irrespective of dates of hearings and number of accused involved.  500/- per application
	<b>(vi) For appearance before the Court of Judicial Magistrate</b>	500/- per case

### **(III) In Civil and Criminal Cases**

(a)	(i) Outstation fees, away from Headquarter for official work when directed by RLA or Joint Secretary or Deputy Secretary to Government, Law and Judiciary Department, at Nagpur or Aurangabad as the case may be, (inclusive of D.A.)	1000/- per day
(b)	For submitting to orders of court	200/- per day
(c)	Drafting legal document conveyancing work	750/- per case

### **(IV) Legal Advice to Government Officers by District Government Pleaders -**

3000/- per month

*Note (1)- The fees under sub-clauses (II) and (III) shall be payable subject to the conditions that, if two or more cases are conducted during a day not more than Rs.3000 per day shall be payable, irrespective of the number of cases conducted and number of accused involved in the case during that day.*

*Note (2)- In case of extra efforts put in by PP or Addl.PP in conduct of sessions trials before the sessions court and succeed in establishing and proving the case of prosecution, on the request made by concerned PP/Addl.PP, the Govt. may order to pay the additional fees to the extent of double the maximum fees provided for the conducted case & payable to the concerned PP/ Addl.PP. The decision of the Government in this behalf shall be final.*

*Note (3)- For the purpose of computation of fees, the effective hearing in conduct of trials before sessions court means the date on which charges are framed against accused, recording of evidence, arguments after conclusion of evidence and hearing if any on the point of sentence.*

*Note (4)-There will be a monthly ceiling of Rs. 75,000/- for DGP & PP, and Rs. 60,000/- for AGP & APP. The monthly ceiling will not cover the fees admissible for retainer fee.*

## STATEMENT 'F'

### FEES PAYABLE TO PUBLIC PROSECUTOR/ ADDITIONAL PUBLIC PROSECUTOR COURT OF SESSIONS, GREATER BOMBAY

Sr. No.	Nature of the Cases	Revised Fees (Rs.)
	All Criminal Cases :	
(i)	<b>Criminal trial</b> in cases involving offences u/s. 302, 376(2) (a) to (g) of IPC, and / or cases involving offences u/s. 7(1)(d) & 12 r/w 13 under the provision of Prevention of Corruption Act and cases under NDPS Act relating to psychotropic substances such as <i>heroine</i> , <i>charas</i> etc. excluding cases of personal consumption and cases relating of seizure of <i>ganja</i> .	4500/- per day for effective hearing
(ii)	<b>Cases for trial under MCOC Act</b>	4500/- per day for effective hearing
(iii)	<b>Session triable cases not covered under clause (i) and (ii) as above.</b>	2500/- per day for effective hearing
(iv)	<b>Criminal Appeal</b> (a) Criminal appeal arising out of judgment and order passed by assistant session judge.  (b) Criminal appeal arising out of major offences i.e. regular criminal appeal.  (c) Criminal appeal arising out of petty offences.	3000/- per appeal; irrespective of number of accused involved in the case and irrespective of number of effective dates of hearings.  2000/- per appeal; irrespective of number of accused involved in the case and irrespective of number of effective dates of hearings.  1000/- per appeal; irrespective of number of accused involved in the case and irrespective of number of effective dates of hearings. <i>Note 1. – If more than one appeal has been filed by accused involved in same case and all appeals are heard together and decided by common judgment then only one set of fees shall be payable in such appeals.</i>
(v)	<b>(1) Criminal Revisions / Applications / Appeals:–</b> Criminal Revision Applications / Petitions arising out of orders passed under sec. 125	150/- per case for admission as well as final hearing

	Cr.P.C. or order of maintenance passed under D.V. Act or any other law. The orders passed under D.V. Act, Negotiable Instrument Act, Restoration Application, Applications relating to Union of India <u>and all other proceedings in which the State Government is a formal party in such applications / appeals / revisions.</u>	irrespective number of dates of hearings.
	(2) Criminal Revisions filed by the State Govt. or filed against the State Govt. in which the State Govt. is necessary party and likely to be affected by the orders passed in such revision application.	750/- per case.
(vi)	<b>For hearing of regular and anticipatory bail applications;-</b> (a) Offences involving Session triable cases.  (b) Offences other than triable by Sessions Court.  (c) Transfer, stay or any other applications which is not specifically provided.	1000/- per bail application irrespective of dates of hearings and number of accused involved.  500/- per bail application irrespective of dates of hearings and number of accused involved.  500/- per application
(vii)	For appearance in any Criminal case before Court of Metropolitan Magistrate	800/- per day
(viii)	(a) For drafting notice or a complaint under section 199 of the Code of Criminal Procedure  (b) For drafting any other complaint	600/- per case  500/- per case

*Note : (1) The fees under sub-clauses (i) to (viii) shall be payable subject to the conditions that, if two or more cases are conducted during a day not more than Rs.3500/- per day shall be payable, irrespective of the number of cases conducted and number of accused involved in the case during that day. Provided, that no per day ceiling shall apply in respect of MCOC Act cases.*

*Note : (2) In case of extra efforts put in by PP or Addl.PP in conduct of sessions trials before the sessions court and succeed in establishing and proving the case of prosecution, on the request made by concerned PP/Addl.PP, the Government, may in its discretion order to pay the fees to the extent of double the maximum fees provided for the case and payable to the concerned PP/APP. The decision of the Government in this behalf shall be final.*

*Note : (3) For the purpose of computation of fees, the effective hearing in conduct of trials before sessions court means the date on which charges are framed against accused, recording of evidence, arguments after conclusion of evidence and hearing if any on the point of sentence.*

*Note : (4) There will be a monthly ceiling of Rs. 75,000/- for PP, and Rs. 60,000/- for Addl.PP. The monthly ceiling will not cover the fees admissible for drafting and retainer fee.*

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## **STATEMENT 'G'**

### **RETAINER PAYABLE TO LAW OFFICERS**

<b>Sr. No.</b>	<b>Post</b>	<b>Revised Fees (Rs. per month)</b>
(a)	The Government Pleader & Public Prosecutor, High Court (A.S.), Mumbai.	20000/-
(b)	The Government Pleader, High Court (O.S.), Mumbai	20000/-
(c)	The Government Pleader, High Court (A.S.), (Writ Cell), Mumbai	20000/-
(d)	The Government Pleader & Public Prosecutor, High Court at Nagpur or at Aurangabad	20000/-each
(e)	Government Pleader, City Civil Court, Mumbai	15000/-
(f)	Public Prosecutor, Sessions Court, Greater Mumbai	15000/-
(g)	District Government Pleaders and Public Prosecutors at Thane, Pune, Nagpur, Aurangabad, Nashik, Amravati, i.e. all Divisional Head Quarters.	7500/-each
(h)	District Government Pleaders & Public Prosecutor working at Kolhapur, Satara, Sangli, Solapur, Kolhapur, Alibag, Ratnagiri, Dhule, Jalgaon, Ahmednagar, Parbhani, Beed, Nanded, Osmanabad, Jalna, Latur, Akola, Buldana, Yeotmal, Sindhudurg, Wardha, Bhandara, Chandrapur, Gondiya and Gadchiroli,	5000/-each
(i)	Government Pleader, Small Cause Court, Mumbai	2500/-
(j)	Chief Presenting Officer, Maharashtra Administrative Tribunal at Mumbai, Nagpur and Aurangabad.	15000/-each
(k)	The main Govt. Advocate appointed by State Govt. to conduct the cases of State Govt. in Supreme Court of India & other Courts at New Delhi.	20000/-

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## STATEMENT 'H'

### FOR APPEARANCES BEFORE THE SUPREME COURT OR OTHER HIGH COURTS

(A)	<b><u>Fees for appearance before the Supreme Court or other High Courts</u></b>	
		<b>Revised Fees (Rs.)</b>
	(a)	<b>Advocate General</b>
		(i) For hearing in regular matters 25000/-
		(ii) For miscellaneous matters 10000/-
	(b)	<b>Government Pleader or Additional Government Pleader-</b>
		(i) For hearing in regular matters 5000/-
(B)		(ii) For miscellaneous matters 2500/-
	(c)	Assistant Government Pleader For giving assistance to Advocate General or Special Counsel or A Panel Counsel or Government Pleader or Additional Government Pleader 3000/-
B) <b><u>Traveling expenses</u></b>		AG-Executive Class by Air or AC First Class by Rail. GP – II-A.C by Rail. or Economy Class (low fare) by Air AGP – III-AC by Rail.
C) <b><u>Expenses for lodging</u></b>		AG- 5000/- per day GP - 4000 /- per day AGP - 1500/- per day.
D)	<b><u>In case of required halt at New Delhi or other State on account of postponement of the hearing or the date originally fixed for hearing.</u></b>	
	(a)	<b>Advocate General</b>
		(i) For hearing in regular matters 15000/-per day
		(ii) For miscellaneous matters 5000/-per day
	(b)	<b>Government Pleader or Additional Government Pleader -</b>
		(i) For hearing in regular matters 2000/-per day
		(ii) For miscellaneous matters 1000/-per day
	(c)	<b>Assistant Government Pleader</b> For giving assistance to Advocate General or Special Counsel or A Panel Counsel or Government Pleader or Additional Government Pleader 1500/-per day
Provided that, the Law Officer shall not claim any additional fees during the aforesaid halt if he conducts any other case on behalf of the State or any other private party. So also, if the Govt. accommodation is made available to Advocate General, Government Pleader, Additional Govt. Pleader /Assistant Govt. Pleader no lodging charges shall be payable.		

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## **STATEMENT 'I'**

### **FEES PAYABLE TO DISTRICT GOVERNMENT PLEADER / ADDITIONAL GOVT. PLEADER/ ASSISTANT GOVERNMENT PLEADERS, CITY CIVIL COURT, GREATER BOMBAY**

<b>Sr. No.</b>	<b>Nature of case</b>	<b>Revised Fees (Rs.)</b>
<b>(A)</b>	<b><u>In All Civil Cases :</u></b>	
	(a) Suits against Government in which effective reliefs are claimed against Government.	As per Rule 22 (a) r/w Rule 28 of L.O.R 1984. Fees actually taxed by the concerned court in the bill of cost, subject to maximum of Rs.35,000/- whichever is less.
	(b) Suits and appeals decided on merit in which the Govt. is a formal or proper party and no effective relief is claimed against the Govt.	500/- per case for final disposal.
	(c ) The fees for opposing application by indigent persons.	500/- per case
	(d) Filing appearance and submitting to orders of Court.	300/- per case
	(e) Cases under section 19 of the Indian Forests Act, 1927.	750/- per case
<b>(B)</b>	<b>Drafting charges :</b>	
	(i) Drafting of Complaint by the Law officer.	1000/- per case for GP.  750/- per case for Addl. /Asstt. Govt. Pleader
	(ii) Drafting of written statement in a case where Govt. is necessary party and effective relief is claimed against Govt.	750/- per case for GP.  600/- per case for Addl. / Asstt. Govt. Pleader
	(iii) Reply to injunction application, appointment of court receiver and other effective interim relief.	500/- per case.
	(iv) Application for vacating stay, appointment of Court Commissioner, Court Receiver and such other important reliefs in favour of Govt.	500/- per case.
	(iv) Written statement in cases in which the Govt. is made formal party and no effective relief is claimed against the Govt.	150/- per case
	(vi) Reply to statutory notice u/s. 80 of CPC.	350/- per case.
	(vii) Misc. Appeal under Bombay Govt. Premises Eviction Act	2000/- per case for GP 1500/- per case for Addl.GP /Asstt. G.P.

(C)	<p><b>Interim Applications :</b></p> <p>(i) Notice of Motion</p> <p>(ii) Chamber Summons</p> <p>(iii) Any other important application, reply and Affidavit to be filed in any civil proceeding, which are not specifically covered by clause (i) to (vii) above. But shall not include the applications for adjournment, time to file reply, application to summon the witnesses and all such formal applications and reply etc.</p>	<p>900/- per case for GP 750/- per case for Addl.GP /Asstt.GP</p> <p>350/-per case for GP 250/- per case for Addl.GP/Asstt.G.P.</p> <p>Note : - The rates mentioned above are in cases in which the Govt. is main party to the proceeding and effective reliefs are claimed against Govt.</p> <p>200/- per case.</p>
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*Note: There will be a monthly ceiling of Rs. 75,000/- for DGP and Rs. 60,000/- for Addl.GP & AGP . The monthly ceiling will not cover the fees admissible for retainer fee.*

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## **STATEMENT “J”**

### **FEEES FOR GOVERNMENT PLEADERS WORKING AT SMALL CAUSES COURT AT BOMBAY**

<b>Sr. No.</b>	<b>Nature of Case</b>	<b>Revised Fees (Rs.)</b>
<b>(1)</b>	<b>In All Civil Cases :</b>	
	(a) Suits against Government in which effective reliefs are claimed against Government.	As per Rule 23 r/w Rule 28 of L.O.R 1984. Fees actually taxed by the concerned court in the bill of cost, subject to maximum of Rs.35,000/- whichever is less.
	(b) Suits and appeals decided on merit in which the Govt. is a formal or proper party and no effective relief is claimed against the Govt.	300/- per case for final disposal.
	(c) Suit for injunction for and against Government; wherein Govt. is main party to proceedings and effective relief is claimed against Government.	750/-
	(d) The fees for opposing application by indigent persons	300/-
	(e) Filing appearance and submitting to orders of Court.	150/-
<b>(2)</b>	<b>Drafting charges :</b>	
	(i) Drafting of Plaint by the Law officer.	500/-
	(ii) Drafting of written statement in a case where Govt. is necessary party and effective relief is claimed against Govt.	350/-
	(iii) Reply to injunction application, appointment of court receiver and other effective interim relief.	350/-
	(iv) Application for vacating stay, appointment of Court Commissioner, Court Receiver and such other important reliefs in favour of Govt.	250/-
	(v) Written statement in cases in which the Govt. is made formal party and no effective relief is claimed against the Govt.	150/-
	(vi) Reply to statutory notice u/s. 80 of CPC.\	250/-
	(vii) Civil Appeal under Small Causes Court Act.	1000/-

(3)	<b>Interim Applications :</b> (i) Notice of Motion  (ii) Chamber Summons  (iii) Any other important application, reply and Affidavit to be filed in any civil proceeding, which are not specifically covered by clause (i) to (vii) above. But shall not include the applications for adjournment, time to file reply, application to summon the witnesses and all such formal applications and reply etc.	350/-  250/-  150/-  Note : - The rates mentioned above are in cases in which the Govt. is main party to the proceeding and effective reliefs are claimed against Govt.
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*Note : There will be a monthly ceiling of Rs. 35,000/- for GP . The monthly ceiling will not cover the fees admissible for retainer fee.*

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